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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/543,962	04/07/2000	James Shanahan	D/99458	2107

7590

07/27/2006

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EXAMINER

NGUYEN, MAIKHANH

ART UNIT	PAPER NUMBER
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2176

DATE MAILED: 07/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/543,962

Applicant(s)

SHANAHAN ET AL.

Examiner

Maikhanh Nguyen

Art Unit

2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: Amendment filed 05/05/2006 to the original application filed 04/27/2000.
2. Claims 1-37 are currently pending in this application. Claims 1, 19 and 28 have been amended. Claims 1, 19, and 28 are independent claims.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

(b) This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claims 1-37 remain rejected under 35 U.S.C. 103(a) as being unpatentable over **Barrera et al.** (U.S. 6,567,800 – filed 03/2000) in view of **Doyle** (U.S. 6,510,432).

As to claim 19:

Barrera teaches a computer-implemented document-centric method for acquiring information pertaining to a document (*see Abstract*), comprising:

- creating a meta-document, comprising providing the document, the document including content information(e.g., *websites with content; col. 3, lines 48-50 / a web page that includes content; col. 5, lines 13-15 & see figs. 7-10*), associating a set of pre-packaged document service requests based on a personality with the document (e.g., *The Yahoo! categories are organized hierarchically, so that a given category typically has one or more subcategories, and each such subcategory has further subcategories ... An example of a Yahoo! interface is shown in FIG. 1. An example of a category is Arts&Humanities, 101, which has subcategories Literature 102 and Photography 103. When a user selects the Literature subcategory 102, Yahoo! displays the page shown in FIG. 2 to the user. FIG. 2 shows numerous subcategories 201 of the Literature subcategory 102. Hereinafter, the term "category" will be used interchangeably with the term "subcategory "; col. 1, lines 45-56 & col. 4, lines 54-65*), wherein a personality comprises theme or context (e.g., *a single file website usually reflect a common theme, such as information about a particular company, activity, or service ... the topic or theme to which a website pertains along with a brief narrative describing the contents of the website; col. 1, lines 23-25 and 41-43*), wherein a document service comprises a process for using a portion of the document's content information as a starting point to obtain other information from a service provider pertaining to the document's content information (e.g., *"Arts&Humanities" category is used in fig.1 as a starting point to obtain the information shown in fig.2*), wherein associating a set of document service requests based on different

personality to the document content information will provided different results
(*see figs. 1-2 and the associated text*); and

- autonomously acting and managing the document service requests without user intervention (*e.g., website content is automatically gathered and stored; col.4, lines 4-15*), comprising:
 - selecting a document service request from the set (*e.g., selects the “Literature” from “Arts&Humanities”; see fig.1*);
 - initiating and managing communication with the service provider to satisfy the selected document service request (*e.g., a dynamically generated web page ...tailored to response to the query; col.5, lines 11-16*); and
 - integrating any results from the selected document service request into the meta-document (*e.g., combine the best aspects of category searching and content searching of websites in a way that enables a user to more accurately and complete identify websites with content of interest to the user, especially in a large collection of websites; col.3, lines 45-50 /the results of the search are displayed to the user ... as a dynamically generated web page; col.5, lines 11-16 and see fig.10*), wherein the meta-document includes the document, the set of document service requests and integrated results (*e.g., when user selects “Authors”, a document including 35 authors will be retrieved and displayed; see fig.2 and the associated text*).

Barrera teaches the meta-document for document service requests. Barrera, however, does not specifically teach “*periodically polling.*”

Doyle teaches periodically polling (e.g., *such gathering is provided by an automated process where searches on the web are periodically carried out to locate information on a user specified topic and that information retrieved and stored in a database so that the content is accessible independent of the status of the content on the web; col.4, lines 14-23 / col.7, lines 50-60 / col.8, line 54-col.9, line 3 & col.10, lines 64-67*).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Doyle in the system of Barrera because it would have provided the capability for defining how often the search and archive agent will search the data sources accessible through the network for information content on the topic.

As to claim 20:

Barrera teaches the personality is, among other things, Generic (*see fig.1*).

As to claim 21:

Barrera teaches the results from the selected document service include a new document service request associated with the document (e.g., *The results of this category-content search are sent to the user; col.4, lines 54-65 and fig.6/ The results of the search are*

displayed to the user ... 'dynamically generated web page' means a web page that includes content specifically tailored to response to the user query; col.5, lines 11-16 and fig.10/ combination of category and content search provided ... produces website search result; col.5, lines 60-65).

As to claim 22:

Barrera teaches the document services are satisfied by a third party service provider via an Internet protocol (*col.2, lines 25-34; col.4, lines 4-15 and fig.5*).

As to claim 23:

Barrera does not specifically teach "*the scheduler updates the set of document service requests on a predetermined schedule.*"

Barrera teaches the scheduler updates the set of document service requests on a predetermined schedule (*col.7, lines 50-60*).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Doyle in the system of Barrera because it would have provided the capability for defining how often the search and archive agent will search the data sources accessible through the network for information content on the topic.

As to claim 24:

Barrera does not specifically teach “*the scheduler re-initiates selected document service request on a periodic basis.*”

Doyle teaches the scheduler re-initiates selected document service request on a periodic basis (*e.g., such gathering is provided by an automated process where searches on the web are periodically carried out to locate information on a user specified topic and that information retrieved and stored in a database so that the content is accessible independent of the status of the content on the web; col.4, lines 14-23*).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Doyle in the system of Barrera because it would have provided the capability for defining how often the search and archive agent will search the data sources accessible through the network for information content on the topic.

As to claim 25:

Barrera does not specifically teach “*the periodic basis is determined by the selected document service request.*”

Doyle teaches the periodic basis is determined by the selected document service request *(e.g., the periodicity defines how often the search and archive agent will search the data source ... the periodicity may be hourly ...the topic is currently event, then the periodicity may be daily, weekly or even monthly; col.7, lines 50-60 & col.8, line 54-col.9, line 4).*

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Doyle in the system of Barrera because it would have provided the capability for defining how often the search and archive agent will search the data sources accessible through the network for information content on the topic.

As to claim 26:

Barrera teaches the set of document service s follow a predetermined sequence of calls to service providers for extracting information from other documents, databases and data stores *(col.3, lines 60-67)* and for searching, for other information responsive to any extracted information from the other documents, databases and data stores *(col.4, lines 54-65).*

As to claim 27:

Barrera does not explicitly teach “*the pre-determined sequence of calls to service providers are satisfiable asynchronously.*”

Doyle teaches the pre-determined sequence of calls to service providers are satisfiable asynchronously (*col.8, lines 1-22*).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Doyle in the system of Barrera because it would have provided the capability for defining how often the search and archive agent will search the data sources accessible through the network for information content on the topic.

As to claim 1:

It is directed to a system for performing the method of claim 19, and is similarly rejected under the same rationale. Additionally, claim 1 recites “a scheduler”.

Doyle teaches a scheduler (e.g., *the periodicity defines how often the search and archive agent will search the data source ... the periodicity may be hourly ...the topic is currently event, then the periodicity may be daily, weekly or even monthly; col.7, lines 50-60*).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Doyle in the system of Barrera because it would have provided the capability for defining how often the search and archive agent will search the data sources accessible through the network for information content on the topic.

As to claims 2-7:

They include the same limitations as in claims 20-25, respectively, and are similarly rejected under the same rationale.

As to claim 8:

Barrera does not explicitly teach “*the meta-document, the scheduler and the service providers reside at the same location.*”

Doyle teaches the meta-document, the scheduler and the service providers reside at the same location (*col.1, line 41- col.2, line 3 and col. 9, lines 50-60*).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Doyle in the system of Barrera because it would have provided the capability for defining how often the search and archive agent will search the data sources accessible through the network for information content on the topic.

As to claim 9:

Barrera does not explicitly teach “*the meta-document, the scheduler and the service providers reside at the same location.*”

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Doyle teaches the meta-document, the scheduler and the service providers reside at different locations (*col.4, lines 40-62 and col.14, lines 24-31*).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Doyle in the system of Barrera because it would have provided the capability for defining how often the search and archive agent will search the data sources accessible through the network for information content on the topic.

As to claims 10-11:

They include the same limitations as in claims 26-27, respectively, and are similarly rejected under the same rationale.

As to claim 12

Barrera teaches the document and the set of document service requests are user-selectable (*col.4, lines 54-65 and fig.1*).

As to claim 13:

Barrera teaches a user may select a document service request from the set and initiate and manage communication with a service provider to satisfy the selected document service, but does not specifically teach “the scheduler”.

Doyle teaches the scheduler (*e.g., the periodicity defines how often the search and archive agent will search the data source ... the periodicity may be hourly ...the topic is currently event, then the periodicity may be daily, weekly or even monthly; col.7, lines 50-60*).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to include the feature from Doyle in the system of Barrera because it would have provided the capability for defining how often the search and archive agent will search the data sources accessible through the network for information content on the topic.

As to claim 14:

Barrera teaches a list of document service requests from which the set of document service requests may be selected by a user (*e.g., searching all of the content of the universe of websites initially; col.2, lines 56-67 and fig.1*).

As to claim 15:

Barrera teaches the service provider is user-selectable (*e.g., searching all of the content of the universe of websites initially; col.2, lines 56-67 and fig.1*).

As to claim 16:

Barrera teaches a service provider can register additional document services to the list
(*e.g., Registered Sites List; fig. 7*).

As to claim 17:

Barrera teaches a list of service providers available for satisfying document services
(*col. 4, lines 4-34*).

As to claim 18:

Barrera teaches the set of document service requests associated with the document are
associated using metadata (*col. 5, lines 43-46*).

As to claim 28:

The rejection of independent claim 19 above is incorporated herein in full. Additionally,
claim 28 recites “a document including content information”.

Barrera teaches a document including content information (*e.g., website content; col. 4, lines 4-7*).

As to claims 29-34, 35-36 and 37:

They include the same limitations as in claims 2-7, 10-11 and 18, respectively, and are
similarly rejected under the same rationale.

Response to Arguments

5. Applicant's arguments filed 05/05/2006 have been fully considered but they are not persuasive.

a. Applicant argues that *Barrera does not teach a meta-document which include in part "a document including content information" and "a set of pre-packaged document service requests based on a personality, associated with the document and "integrated results."* [Remarks, page 10]

In response, the Examiner respectfully traverses Applicant's remarks. *Barrera teaches a meta-document which include in part "a document including content information (e.g., websites with content; col. 3, lines 48-50 & a web page that includes content; col. 5, lines 13-15 & see figs. 7-10) and a set of pre-packaged document service requests based on a personality, associated with the document (e.g., The Yahoo! categories are organized hierarchically, so that a given category typically has one or more subcategories, and each such subcategory has further subcategories ... An example of a Yahoo! interface is shown in FIG. 1. An example of a category is Arts&Humanities, 101, which has subcategories Literature 102 and Photography 103. When a user selects the Literature subcategory 102, Yahoo! displays the page shown in FIG. 2 to the user. FIG. 2 shows numerous subcategories 201 of the Literature subcategory 102.*

Hereinafter, the term "category" will be used interchangeably with the term "subcategory "; col. 1, lines 45-56 & col. 4, lines 54-65) and integrated result (e.g., when user selects "Authors", a document including 35 authors will be retrieved and displayed; see fig.2 and the associated text).

- b. Applicant argues that *neither Barrera nor Doyle teach " a scheduler for autonomously activating and managing the document service request without user intervention by periodically polling the meta-document for document service requests" [Remarks, page 11].*

In response, the Examiner respectfully traverses Applicant's remarks. The combination of Barrera with Doyle is used to teach the claimed limitations as claimed by Applicant. Barrera teaches autonomously acting and managing the document service requests without user intervention (*e.g., website content is automatically gathered and stored; col.4, lines 4-15*). Doyle teaches a scheduler (*e.g., the periodicity defines how often the search and archive agent will search the data source ... the periodicity may be hourly ...the topic is currently event, then the periodicity may be daily, weekly or even monthly; col.7, lines 50-60*). Additionally, Doyle teaches periodically polling (*e.g., such gathering is provided by an automated process where searches on the web are periodically carried out to locate information on a user specified topic and that information retrieved and stored in a database so that the content is accessible independent of the status of*

the content on the web; col.4, lines 14-23 / col.7, lines 50-60 / col.8, line 54-col.9, line 3 & col.10, lines 64-67).

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mutoh et al.	U.S. Pat. No. 5,379,423	Issued: Jan. 3, 1995
Jones et al.	U.S. Pat. No. 6,493,731	Issued: Dec. 10, 2002
MacLean et al.	U.S. Pat. No. 6,505,219	Issued: Jan. 7, 2003
Sekijima et al.	U.S. Pat. No. 6,957,429	Issued: Oct. 18, 2005

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

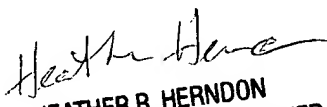
Contact information

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Maikhanh Nguyen whose telephone number is (571) 272-4093. The examiner can normally be reached on Monday - Friday from 9:00am – 5:30 pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon can be reached at (571) 272-4136.

The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

MN


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